

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>BARRY KIRKLAND,</b>	:	<b>CIVIL NO. 1:CV-13-2588</b>
Plaintiff,	:	
	:	(Judge Kane)
v.	:	
	:	
<b>JOHN KERESTES, et al.,</b>	:	
Defendants	:	

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<b>BARRY KIRKLAND,</b>	:	<b>CIVIL NO. 1:CV-13-2841</b>
Plaintiff,	:	
	:	(Judge Kane)
v.	:	
	:	
<b>JOHN KERESTES, et al.,</b>	:	
Defendants	:	

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**ORDER**

AND NOW, this 5th day of December, 2013, for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's motions for leave to proceed in forma pauperis in Civil Action No. 13-CV-2588 (Doc. No. 4) and Civil Action No. 13-CV-2841 are construed to be motions to proceed without full prepayment of the filing fee, and are **granted**.
2. The Clerk of Court is directed to consolidate Kirkland v. Kerestes, et al., Civil No. 1:13-CV-2841 into Kirkland v. Kerestes, et al., Civil No. 1:13-CV-2588, and to close Civil No. 1:13-CV-2841.
3. The consolidated complaint in Civil No. 1:13-CV-2588 is **dismissed** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
4. Any and all pending motions are **denied as moot**.
5. The Clerk of Court is directed to **close this consolidated case**.

6. Any appeal taken from this order will be deemed frivolous, without probable cause and not taken in good faith.

S/ Yvette Kane  
YVETTE KANE, Judge  
Middle District of Pennsylvania